

OVERVIEW OF AMENDMENTS & REMARKS

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1. SPECIFICATION: No amendments.
2. CLAIM CANCELLATION DUE TO RESTRICTION
 REQUIREMENT: Non-elected prior claims 11 - 34, and 36 - 50 of record under traverse have been canceled. See "SUPPLEMENTAL REQUEST FOR RECONSIDERATION OF RESTRICTION REQUIREMENT UNDER 37 CFR 1.143" mailed June 26, 1998 enclosed.
3. CLAIM AMENDMENTS: Prior claims of record 2, 3, 35, and 51.
4. FEE STATUS: (small entity) A total of \$2785 has been paid on the present application which results in an overpayment of \$2111 per this PRELIMINARY AMENDMENT C which now presents (6) independent claims, and (10) dependent claims for a total of (16) claims.

BASIC NATIONAL FEE	\$350
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EXCESS CLAIM FEES PREVIOUSLY PAID:	\$2435
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EXCESS CLAIM FEES NOW DUE:	\$324
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independent claims in excess of three :	3 x \$41 = \$123
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claims in excess of twenty:	6 x \$11 = \$66
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multiple dependent claims:	\$135
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OVERPAYMENT OF EXCESS CLAIM FEES	\$2111
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| 5. REQUEST FOR REFUND OF OVERPAYMENT | \$2111 |
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CLAIM AMENDMENTSSTATUS AND ENTITY
BRANCH

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Cancel the prior substitute and rewritten claims 11 - 34, and 36 - 50 of record without prejudice, and without disclaimer of the subject matter involved under traverse of restriction requirement.

Remaining claims 1 - 10, 35, and 51 - 55 are now presented for examination as follows:

No amendment of claim 1 of record:

1. A method of treating deep tissue, or systemic fungal diseases comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective compound obtainable from capsicum pepper, or an equivalent in a therapeutically effective amount.

Amend claims 2 & 3 of record as follows:

2. A method of treating systemic fungal diseases selected from the group consisting of blastomycosis, coccidioidomycosis, entomophthoromycosis, or paracoccidioidomycosis comprising:
administration to an area of disease a suitable carrier containing a primary anti-infective agent obtainable from pepper, or an equivalent in a therapeutically effective amount.

3. A method of treating systemic fungal diseases selected from the group consisting of aspergillosis, candidiasis, cryptococcosis, or histoplasmosis comprising: